

# **UPDATE ON HISTORIC PRESERVATION COMMISSION WORKLOADS**



**OFFICE OF LEGISLATIVE OVERSIGHT**

**MEMORANDUM REPORT**

**August 25, 1999**

Clara Barton House Photo by Michael Stewart

The Clara Barton House was the first national historic site named in honor of a woman.

## EXECUTIVE SUMMARY

In November 1990, the Office of Legislative Oversight (OLO) issued a report on the Montgomery County Historic Preservation Commission (HPC) workloads. This memorandum report provides the County Council with updated information on workload trends during the 1990s for four HPC responsibilities.

- ◆ Evaluating and recommending Locational Atlas resources for placement on the Master Plan for Historic Preservation,
- ◆ Reviewing, awarding, and monitoring grants to fund historic-related projects,
- ◆ Evaluating and recommending on Historic Preservation Property Tax Credit applications, and
- ◆ Reviewing and approving applications for Historic Area Work Permits.

The report also provides year by year data on budgets, expenditures, and staffing for historic preservation activities in the 1990s. The scope of this OLO study did not extend to evaluating the substance of HPC decisions, HPC customer satisfaction, or the quality of HPC staff work.

Since 1991, HPC evaluated 177 Atlas resources and recommended adding 7 historic districts and 92 individual sites to the Master Plan for Historic Preservation. A total of 250 resources remain on the Atlas for HPC evaluation; 236 resources are individual sites and 14 resources are potential historic districts.

For the period examined, OLO observed very little fluctuation in HPC's workload for evaluating and recommending Locational Atlas resources for placement on the Master Plan for Historic Preservation or in the workloads associated with reviewing, awarding, and monitoring grants to fund historic related projects. The workloads for evaluating and recommending on Historic Preservation Property Tax Credit applications fluctuated over the three years examined, showing no clear trend. Tracking this workload over a longer period will disclose whether HPC needs to assign additional resources in the future. The workload for evaluating HAWP applications did change significantly during the period reviewed.

HPC's workload for evaluating HAWP applications increased threefold during the 1990s and will continue to increase as the County Council adds historic districts and individual sites to the Master Plan for Historic Preservation. In response, HPC and their support staff streamlined their procedures over the years to accommodate the additional workload. Also, during FY 2000, HPC will implement a 1998 change in County law that allows HPC support staff to approve certain HAWP applications when HPC staff researchers and the property owners agree. Staff will automatically refer any questions to the full HPC for their consideration.

Workload trends in the 1990s indicate that HPC may need additional temporary personnel to assist with HAWP applications for some period after the County Council designates a large historic district on the Master Plan for Historic Preservation. For example, when the Council designated the Takoma Park Historic District to the Master Plan in FY 1992, the number of HAWP applications increased nearly fifty percent for each of the subsequent two years (FY 1993 and FY 1994).



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## **I. AUTHORITY, SCOPE, METHODOLOGY, AND ACKNOWLEDGMENTS**

### **A. Authority**

Council Resolution No. 13-1388, FY 1999 Work Program of the Office of Legislative Oversight, adopted August 4, 1998.

### **B. Scope and Methodology**

This OLO memorandum report is a follow up to OLO Report #90-2, conducted in 1990. This report provides year by year data on expenditures for historic preservation activities and the associated historic preservation workloads in the 1990s. The scope of the OLO study did not extend to evaluating the substance of HPC decisions, the HPC customer satisfaction, or the quality of the staff work provided.

Peter Kraut, OLO research assistant, conducted the primary research for this project and prepared major portions of the report under the direction of Joan M. Pedersen, program evaluator. Craig M. Meklir concluded the research and assisted with writing the final report. Activities for the project included reviews of reports, budget documents, and other written materials relating to HPC operations; examination and analyses of data acquired from HPC staff or independently by OLO; interviews with HPC commissioners and support staff, and independent field observation.

The major workloads discussed in this report relate to the following HPC responsibilities:

- Evaluating and recommending sites for placement on the Master Plan for Historic Preservation,
- Reviewing and approving applications for Historic Area Work Permits,
- Evaluating and recommending on Historic Preservation Property Tax Credit applications, and
- Reviewing proposals and awarding Historic Preservation Grant Fund resources to fund historic-related projects.

### **C. Acknowledgments**

The Office of Legislative Oversight (OLO) appreciates the prompt and courteous cooperation received from HPC Commissioners and staff. OLO especially acknowledges Gwen Wright, Historic Preservation Coordinator, for her contributions and other assistance throughout this project.

## **II. REPORT ORGANIZATION AND TERMINOLOGY**

### **A. Organization of the Report**

The remainder of the report contains the following chapters.

**Chapter III** introduces the history, composition, and duties of the Historic Preservation Commission (HPC). This chapter includes budgetary and staffing information since FY 92 (the year that the Maryland-National Capital Park and Planning Commission became fully responsible for providing staff support to HPC.)

**Chapter IV** contains workload information on four HPC major responsibility areas.

- Locational Atlas and the Master Plan for Historic Preservation
- Historic Area Work Permits
- Historic Preservation Grant Activity
- Historic Preservation Tax Credit Activity

**Chapter V** contains OLO's observations on HPC workloads covered in this report.

## **B. Terminology and Acronyms Used in the Report**

<b>Atlas</b>	Locational Atlas and Index of Historic Sites in Montgomery County
<b>CLG</b>	Certified Local Government
<b>DPS</b>	Department of Permitting Services
<b>DHCD</b>	Department of Housing and Community Development (currently the Department of Housing and Community Affairs)
<b>HAWP</b>	Historic Area Work Permit
<b>HPC</b>	Montgomery County Historic Preservation Commission
<b>Master Plan</b>	Master Plan for Historic Preservation
<b>M-NCPPC</b>	Maryland-National Capital Park and Planning Commission

- In accordance with the definition outlined in Montgomery County Code Chapter 24A, *Historic Resources Preservation*, a property listed on the Atlas is considered an "historic resource" and a property designated on the Master Plan is an "historic site."

## **III. BACKGROUND**

Established in 1979, the Historic Preservation Commission (HPC) is comprised of nine members appointed by the County Executive and confirmed by the County Council. From HPC's creation until FY 92, some of the Commission's staff support was provided partly by the Executive Branch Department of Housing and Community Development and partly by the Maryland National Capital Park and Planning Commission (M-NCPPC). During FY 92, M-NCPPC became totally responsible for providing the HPC staff support.



## A. HPC Responsibilities

HPC and its staff support have a number of responsibilities.

- Evaluate potential historic resources and recommend sites to be placed on the Master Plan for Historic Preservation.
- Review applications for Historic Area Work Permits, required before owners can do certain types of work affecting an historic building or district.
- Administer the County's Historic Preservation Grant Fund, which helps County groups carry out a variety of projects.
- Evaluate and recommend on Historic Preservation Property Tax Credit applications.
- Provide the public with information and educational materials on historic preservation, including advice on historically sensitive maintenance techniques.
- Hold educational workshops.
- Publish *The Preservationist* newsletter to report on preservation activities in the County. (Mailed to all residents of Master Plan historic properties, *The Preservationist* is funded in part by a grant from the State of Maryland, and is available free to anyone interested in historic preservation in the County.)
- Provide interpretative signage for historic sites.
- Advise the M-NCPPC Planning Board on the historic preservation impact of proposed development projects.

While all of HPC's responsibilities have workloads associated with them, this report focuses primarily on the first four bulleted items in the list above. Commissioners and their support staff spend the majority of their time on these four responsibilities.

Support operations are funded largely through a County Non-Departmental Account (NDA) for historical activities, but some funding is also provided from the Planning Department's Administration Fund at M-NCPPC. Table 1 shows NDA annual funding for HPC activities for FYs 1992-2000. The M-NCPPC budget does not have a line item for HPC support, so M-NCPPC Planning Department funding was not available.

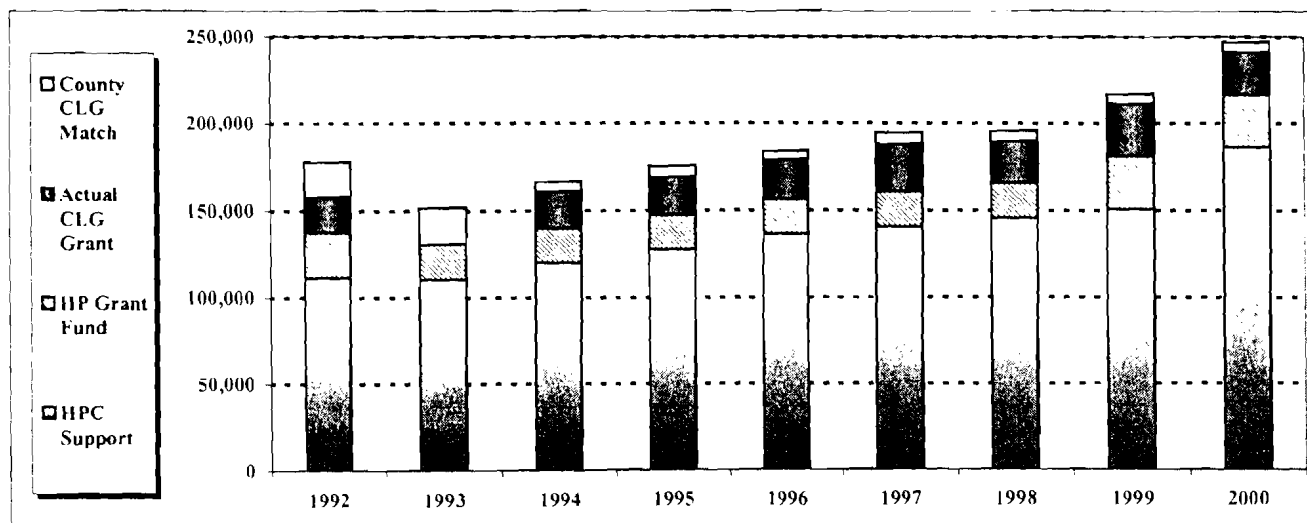
**Table 1**  
**NDA Budgets for Historical Activities Administered by HPC**  
**FYs 1992-2000**

	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
HPC Support	111,602	110,050	120,050	127,750	136,760	140,967	145,900	151,000	186,300
HP Grant Fund	26,125	20,900	20,150	19,950	19,950	20,000	20,000	30,000	30,000
State CLG Grant *	20,124	0	21,000	0	22,230	27,000	24,000	30,000	25,000
County CLG Match	20,124	20,900	5,250	6,370	5,000	6,750	6,000	6,000	6,000
<b>TOTAL</b>	<b>177,975</b>	<b>151,850</b>	<b>166,450</b>	<b>154,070</b>	<b>183,940</b>	<b>191,717</b>	<b>195,900</b>	<b>217,000</b>	<b>247,300</b>

Sources: OLO, Montgomery County budget documents, and HPC support staff

\* The Maryland Certified Local Government (State CLG) grant provides funds for historic preservation activities to local governments that meet a variety of criteria regarding historic preservation. The US Department of Interior and the Maryland Historic Trust establishes the criteria. Before 1994, each local government was required to provide matching funds at 100 percent. In 1994, the local matching requirement decreased to 25 percent of the grant awarded. However, once a local government pledges a certain match, the actual State CLG grant could be less or greater than the 4:1 ratio. This was the case in FYs 96-00. There is no way to anticipate whether the State CLG grant will be above or below the 4:1 ratio or awarded at all. This table shows the actual amount received from the State rather than the 4:1 anticipated amount that appears in the NDA budget. In FY 93, HPC decided NOT to apply for the State CLG grant. The funding appropriated for the County match was used for other historic preservation activities. In FY 95, the State denied an HPC grant request of \$21,700, but the County match was used for other historic preservation activities.

**NDA Spending for Historical Activities Administered by HPC**  
**FYs 1992-2000**



Sources: OLO, Montgomery County budget documents, and HPC support staff

See Appendix A for a list of projects funded by CLG grants in FYs 1992-2000

## **B. Historic Preservation Commission Structure and Staffing**

### **1. The Commission**

The County Executive appoints nine commissioners, who must be confirmed by the County Council. Four fields of specialization must be represented by at least one commissioner. These specialization fields are: history, architecture, preservation, and urban design. The remaining commissioners represent relevant concerns of the citizens of Montgomery County.

Except for the months of August and December, when there is one meeting, the Commission convenes twice a month on Wednesdays to publicly conduct its business. These meetings are conducted in the evenings, since all of the commissioners are volunteers, and most hold day jobs in the private sector.

Commission meetings generally begin at 7:00 p.m., when the commissioners attend to administrative business prior to convening the public session at 7:30 p.m. A typical HPC agenda may include: public hearings and consideration of several HAWP applications, consideration of Atlas resources and Master Plan designations, and evaluation of tax credit requests. HPC meetings generally end between 11:00 p.m. and midnight.

HPC sometimes schedules additional meetings for dedicated public hearings on controversial historic preservation properties or issues. In the last five years, HPC has generally scheduled from 2-4 additional public hearings annually.

OLO staff attended the June 23, 1999 meeting to interview commissioners and support staff and observe an HPC meeting. At this meeting, OLO was able to observe commissioner and support staff interactions and the HPC's decision-making process on HAWP applications. There were no master plan designations or tax credit applications scheduled for review that night.

### **2. HPC Support Staffing**

Throughout the 1990's, HPC direct support staff ranged between 3.0 and 4.5 workyears. This support staff is housed at the M-NCPPC Planning Department. HPC funding for staff support comes from both the NDA and the M-NCPPC Planning Department administration fund.

The M-NCPPC Parks Department also has staff devoted to historical activities. While the work of the Parks Department historical staff is not directly related to the work of HPC, the two staffs are administratively housed together.

Additional temporary positions have also been obtained under contracts funded through CLG grants. Both the Parks and Planning departments use contractual workers on occasion.

Table 2 summarizes all M-NCPPC career and contractual support for historic activities-Parks, Planning, and contractual for FYs 1992-2000.

**Table 2**  
**Career and Other Support for Historical Activities**  
**FYs 1992-2000**

	----- Work years -----								
	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
Planning	3.50	3.00	3.00	3.50	3.00	4.00	4.00	4.00	4.50
Parks	2.50	2.50	2.50	2.50	2.75	2.75	2.75	2.75	2.75
Other	0.00	0.00	0.50	0.00	0.50	1.00	1.00	1.00	1.00
<b>Total</b>	<b>6.00</b>	<b>5.50</b>	<b>6.00</b>	<b>6.00</b>	<b>6.25</b>	<b>7.75</b>	<b>7.75</b>	<b>7.75</b>	<b>8.25</b>

Sources: OLO and HPC support staff

**Planning** includes 0.5 contractual workyears in FY 95

**Parks** includes 1.0 contractual workyears in FYs 91-95 and .25 contractual workyears in FYs 96-00

**Other** contractual positions funded by Certified Local Government grants

Table 3 shows detail of the M-NCPPC staffing budgeted for historical activities in FY 2000, along with an estimation of time the staff may spend on HPC support activities.

**Table 3**  
**M-NCPPC Staffing Budgeted for Historical Activities in FY 2000**

<i>M-NCPPC Positions</i>	<i>Workyears Available</i>	<i>M-NCPPC Department Assignment</i>	<i>HPC Support Assignment</i>	<i>Approximate Time on HPC Activities</i>	<i>Major Funding Source</i>
1	1.00	Planning	Historic Preservation coordination	50 %	NDA
3	2.00	Planning	Evaluate Historic Area Work Permits	100 %	NDA
1	0.50	Planning	Research and designation duties	50 %	Planning
1	1.00	Planning	Secretarial support	50 %	Planning
2	1.00	Planning	Contracted researchers	100 %	CLG Grant
1	1.00	Parks	Park historian and property manager	0 - 10 %	Parks
1	1.00	Parks	Archeologist	0 - 10 %	Parks
1	0.50	Parks	Education and outreach	0 - 10 %	Parks
1	0.25	Parks	Contracted Assistant Archeologist	0 - 10 %	Parks

Sources: OLO and HPC support staff

Note that most of the staff shown in Table 3 work on both HPC historic preservation activities and other M-NCPPC historical activities. Only three of the career positions are dedicated to HPC support. HPC occasionally uses CLG Grants to fund contractual positions to augment the three permanent positions.

## C. Major HPC Activities

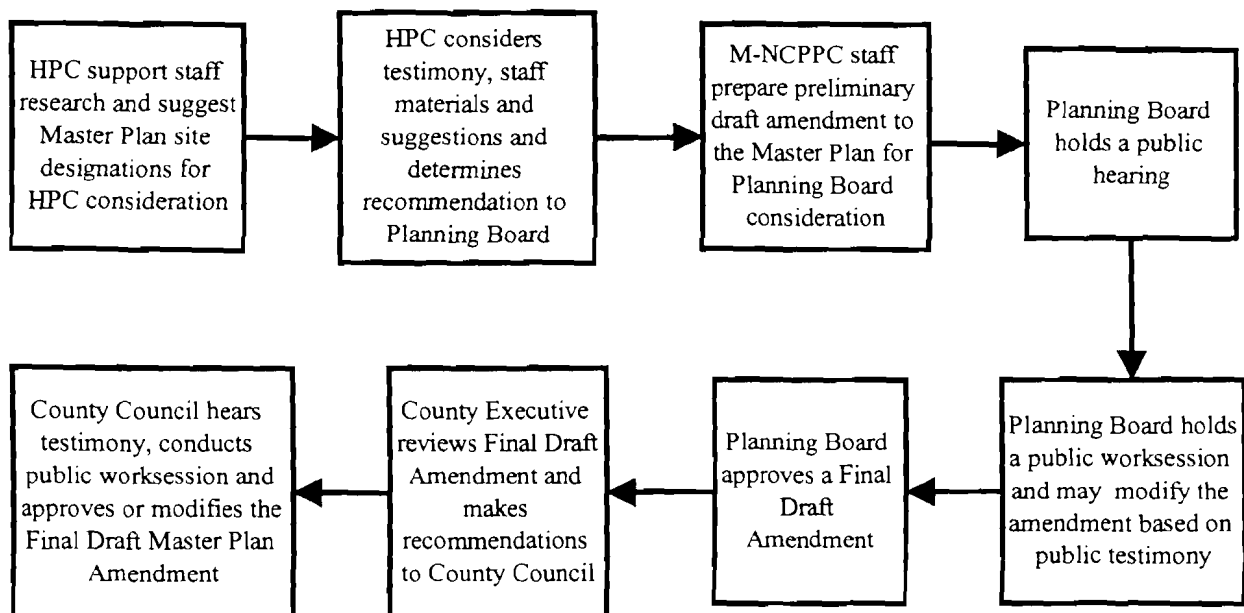
This section briefly describes the four HPC activities that have major workload implications.

### 1. The Master Plan for Historic Preservation

In 1976, the M-NCPPC Planning Department prepared an inventory of all potential historic "resources," consisting of both individual properties and entire districts in Montgomery County. The inventory was published as the Locational Atlas and Index of Historic Sites. It contained 995 resources, which were to be evaluated and then either placed on a Master Plan for Historic Preservation or removed from the Atlas, meaning the property has no historic status.

Resources are removed from the Atlas and added (or not added) to the Master Plan after HPC recommendations are acted upon by the M-NCPPC Planning Board, the County Executive, and the County Council. In most instances, the Planning Board, County Executive, and Council act upon HPC recommendations with no changes or with only minor changes. A flowchart of the process for amending the Master Plan for Historic Preservation is shown below. A more detailed description of the process is included in the report at Appendix B.

#### Process For Amending The Master Plan For Historic Preservation



masterplan.flo

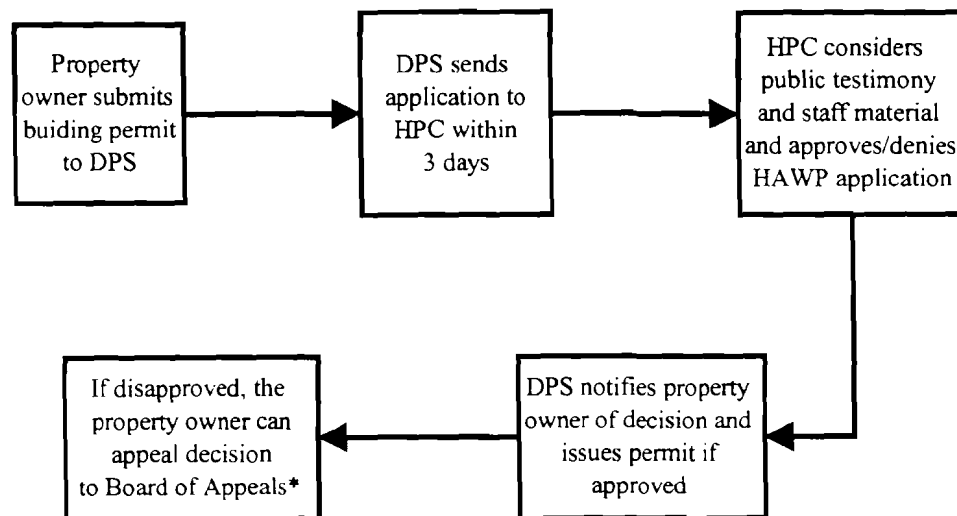
## 2. Historic Area Work Permits (HAWPs)

Being included as a resource on the Master Plan for Historic Preservation means that a property owner must obtain an approved Historic Area Work Permit (HAWP) before moving, demolishing, or altering the exterior of a house, building, or other structure. An approved HAWP is also required for new construction, grading, and removing live trees from an historic site. HAWP applications are available from the County's Department of Permitting Services.

If a property is listed on the Atlas when an owner wishes to make a change, there is a different procedure. This procedure often expedites the process of adding the property to the Master Plan or removing it from the Locational Atlas. A copy of a HAWP application is included at Appendix C.

The flowchart below shows the HAWP application and approval process. A more detailed description of the process is included in the report at Appendix D.

### The HAWP Application And Approval Process



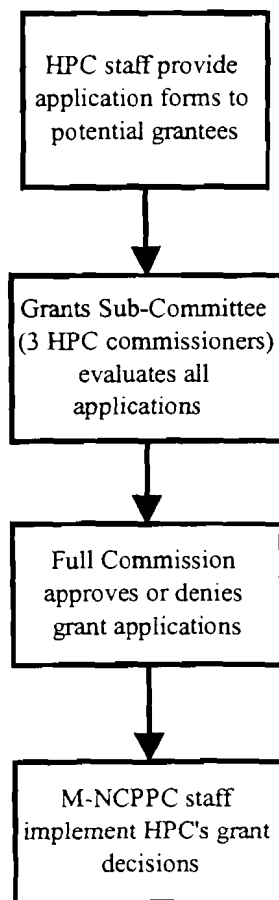
\* The appellate body for the Board of Appeals' decisions is the Circuit Court.

hawp3.flo

### 3. Historic Preservation Grant Activity

HPC is responsible for reviewing and administering grants for a variety of historical preservation projects. Past projects have included publications, video productions, oral or written history projects, landscaping plans or historic district guidelines and educational programs. The flowchart below shows HPC procedures for awarding these grants. A more detailed description of the procedures is included in the report at Appendix E and a listing of grants awarded by HPC in FY 1999 is at Appendix F.

#### HPC Procedures For Awarding Historic Preservation Grants



hpfgrant1.flo

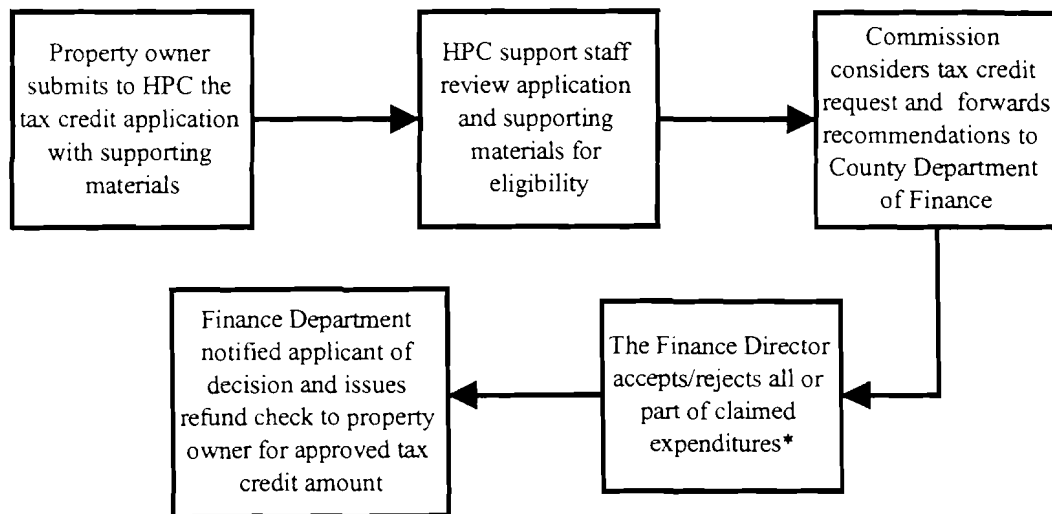
#### 4. Historic Preservation Tax Credit Activity

Owners of properties listed on the Master Plan for Historic Preservation are allowed a County real property tax credit of 10 percent of the costs for HPC-approved restoration and preservation projects. House renovation and modifications must conform to one or more of the following criteria for the property owner to be eligible for the tax credit.

- The work must be certified by HPC as contributing to the restoration or preservation of one or more sites included in the County's Master Plan for Historic Preservation, either individually or within an historic district.
- The expenditure must be for exterior work only.
- The work was undertaken with an approved Historic Area Work Permit (HAWP) if alterations that require a HAWP are proposed.
- The work may be for ordinary maintenance exceeding \$1,000 in expense.
- The work must be performed by a licensed contractor

The flow chart below shows the historic preservation tax credit process. A more detailed description of the process is included in the report at Appendix G.

##### Historic Preservation Tax Credit Approval Process



\*Applicants can appeal Finance Director's decision to the Property Tax Assessment and Appeals Board

taxcredit2.flo



## **IV. WORKLOADS**

### **A. The Master Plan for Historic Preservation**

When initially created in 1976, the Locational Atlas contained 995 resources. Resources on the Atlas await evaluation and a decision whether they are to be designated as an historic site or an historic district on the Master Plan for Historic Preservation. Evaluated resources that are not designated on the Master Plan are simply removed from the Atlas, and considered to have no historic status. At the time of OLO's 1990 report, 508 resources had been either moved to the Master Plan or simply removed from the Atlas, 107 were in progress, and 380 had yet to be evaluated.

#### **Terminology**

- A property on the Locational Atlas is called a "resource."
- A district on the Atlas is also called a "resource," regardless of how many properties are in the district.
- A property on the Master Plan for Historic Preservation is called a "site."
- Historic districts on the Master Plan are listed separately from sites, and the number of properties in the districts is not given.

#### **Statistics Since OLO's 1990 Report**

- Since 1991
  - 177 resources removed from the Atlas.
  - 92 individual sites added to the Master Plan.
  - 7 historic districts added to the Master Plan. These seven districts contained 1,336 properties when added to the Master Plan.
- A total of 250 resources remain on the Atlas for evaluation; 236 resources are individual sites and 14 resources represent potential historic districts. HPC support staff will not know the exact number of properties in the districts remaining on the Atlas until they fully evaluate the districts. Appendix B summarizes the process for evaluating Atlas resources for designation to the Master Plan or removal from the Atlas.

Table 4 provides information on changes in the number of resources on the Locational Atlas and those sites/historic districts added to the Master Plan for Historic Preservation from FY 91 through FY 99.

**Table 4**  
**Number of Properties on the Atlas and on the Master Plan FYs 1991-1999**

	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99 Est.
Resources Removed from the Atlas	0	91	5	37	6	0	25	13	0
Resources Added to the Atlas	0	0	0	2	0	0	0	0	0
Additions To the Master Plan	1	5	13	45	4	0	18	5	1
Cumulative Designated Sites on the Master Plan	230	235	248	293	297	297	315	320	321
Names Of Districts Added to the Master Plan	Cedar Grove	Hawkins Lane Takoma Park	Garrett Park Linden Forest Glen		Chevy Chase Village Phase I			Chevy Chase Village Expanded	
Cumulative Districts on the Master Plan	14	16	19	19	20	20	20	20	20
District Properties Added to the Master Plan <sup>1</sup>	6	925	78	0	11	0	0	316	0
Cumulative Properties in the Historic Districts	736	1,661	1,739	1,739	1,750	1,750	1,750	2,066	2,066
OLO Estimate of Total Cumulative Properties on the Master Plan (Individual Sites and Properties in Districts) <sup>2</sup>	966	1,896	1,987	2,032	2,047	2,047	2,065	2,386	2,387

Sources: OLO and HPC support staff

<sup>1</sup> See Appendix H for a list of the Montgomery County Historic Districts, including the number of properties in each district when designated.

<sup>2</sup> These estimates were derived from the number of properties in a district at the time it was designated. Historic preservation laws also protect additional buildings subsequently constructed in these districts, but HPC support staff have not counted and added these new properties to the initial count of properties within districts.

Appendix I contains additional detail on changes made to the Master Plan for Historic Preservation and the Locational Atlas in FYs 1991-1999. Appendix J shows HPC's current five-year plan for evaluating Atlas resources for Master Plan consideration.

Table 5 shows a summary of Planning Board, County Executive, and County Council actions on HPC recommendations for specific Historic Districts that have been added to the Master Plan for Historic Preservation.

**Table 5**  
**Summary of Actions on Historic Districts Designated FYs 1991-1999**

<b>District Recommended by HPC (year)</b>	<b>Montgomery County Planning Board Recommendation</b>	<b>County Executive Recommendation</b>	<b>County Council Action</b>
Cedar Grove (1991)	Adopt fewer properties than HPC recommended (designate 6 properties)	Adopt as HPC and Planning Board recommended (designate 6 properties)	Adopted as HPC, Planning Board, and County Executive recommended (6 properties designated)
Hawkins Lane (1992)	Adopt as HPC recommended (designate 19 properties)	Adopt as HPC and Planning Board recommended (designated 19 properties)	Adopted as HPC, Planning Board, and County Executive recommended (19 properties designated)
Takoma Park (1992)	Adopt more properties than HPC recommended (designate 906 properties)	Adopt as HPC and Planning Board recommended (designate 906 properties)	Adopted as HPC, Planning Board, and County Executive recommended (906 properties designated)
Garrett Park (1993)	Adopt fewer properties than HPC recommended (designate 40 buildings and 6 properties)	Adopt as Planning Board recommended (designate 40 buildings and 6 properties)	Adopted as Planning Board, and County Executive recommended (40 buildings and 6 properties designated)
Forest Glen (1993)	Adopt as HPC recommended (designate 13 properties)	Adopt as HPC and Planning Board recommended (designate 13 properties)	Adopted 1 fewer property than HPC, Planning Board, and County Executive recommended (12 properties designated)
Linden (1993)	Adopt as HPC recommended (designate 19 properties)	Adopt as HPC and Planning Board recommended (designate 19 properties)	Adopted as HPC, Planning Board, and County Executive recommended (19 properties designated)
Chevy Chase Village Phase I (1995)	Adopt as HPC recommended (designate 63 properties)	Adopt fewer properties than HPC and Planning Board recommended (designate 11 properties)	Adopted as County Executive recommended (11 properties designated)
Chevy Chase Village Expansion (1999)	Adopt as HPC recommended (designate 316 additional properties to the Chevy Chase Village District)	Adopt as HPC and Planning Board recommended (designate 316 additional properties to the Chevy Chase Village District)	Adopted as HPC, Planning Board, and County Executive recommended (316 additional properties designated for a total of 327 properties in the Chevy Chase Village District)

Sources: OLO and HPC support staff

Note that the number of properties in an Historic District added to the Master Plan may be much less than the number of properties actually evaluated by HPC staff. For example, a total of 327 properties in Chevy Chase Village were added to the Master Plan as an historic district, but HPC support staff evaluated approximately 700 properties that had been on the Atlas.

## B. Historic Area Work Permits (HAWPs)

HPC approved about 95 percent of the HAWP applications that were requested during FYs 1992-1999. One-third of these were approved with "conditions." Some examples of conditions include:

- All new shutters should be correctly sized to the opening and installed with operable hardware.
- The picket fence and the small outbuilding are to be adequately protected and, if removed during construction, are to be returned to their current sites.
- The new bathroom window will be smaller in height and width than the kitchen window.
- Slate roof to be repaired, or replaced with slate and not slate substitute.
- The connecting rear section of the addition is to have a molding detail included between the first and second levels.
- A siding other than vinyl is to be used for cladding; the final material is to be agreed upon by the property owner and HPC staff.

Table 6 shows that the number of applications HPC considered annually increased nearly three-fold since FY 92. In that year, two historic districts were added to the Master Plan for Historic Preservation, Takoma Park and Hawkins Lane. The Takoma Park district contained 906 properties when added to the Master Plan and the Hawkins Lane district contained 19 properties.

Since FY 94, each year HPC considered approximately one HAWP application for every 15 properties on the Master Plan. A falling historic property-to-HAWP ratio indicates a rising workload. This ratio is useful for predicting future HAWP application workloads, with the understanding that the ratio will likely fall for a year or two after a large historic district is designated on the Master Plan. Data in Table 6 demonstrate that the historic property-to-HAWP ratio was significantly influenced for two years (FYs 92-93) following designation of the Takoma Park and Hawkins Lane historic districts, before leveling off in FY 94.

**Table 6**  
**Number of HAWPs Considered by the HPC in FYs 1992-1999**

	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99 Est.
OLO estimate of total properties on the Master Plan	1,896	1,987	2,032	2,047	2,047	2,065	2,070	2,387
Number of HAWP applications	60	86	131	121	132	142	154	160
# Change in HAWP applications (from prior year)	-22	+26	+45	-10	-11	-10	-12	+8
% Change in HAWP applications (from prior year)	- 26.8%	43.3%	52.3%	- 7.6%	9.1%	7.6%	8.5%	3.9%
Ratio of HAWPs to historic properties	31.6	23.1	15.5	16.9	15.6	14.5	13.4	14.9

Sources: OLO and HPC support staff

Table 7 shows HPC decisions made on HAWP applications reviewed during FYs 1992-1999, as well as the types of activities requested by the property owners. Over this period, HPC approved approximately 95 percent of HAWP applications reviewed. The majority of applications (nearly 87 percent) were approved for alterations. About ten percent were approved for new construction, and four percent for demolitions.

**Table 7**  
**Types of HAWPs and Decisions on HAWPs in FYs 1992-1999**

	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99 est.	FYs 96-98 Average Number	Percent
Approved	56	82	<i>detail</i>	118	121	129	152	<i>detail</i>	130	94.7 %
Denied	3	3	<i>not</i>	3	10	6	1	<i>not</i>	5	3.6 %
Withdrawn	1	1	<i>available</i>	0	0	7	1	<i>available</i>	2	1.5 %
<b>Total # of HAWPs</b>	<b>60</b>	<b>86</b>	<b>131</b>	<b>121</b>	<b>132</b>	<b>142</b>	<b>154</b>	<b>160</b>	<b>137</b>	<b>100.0 %</b>
Alteration	49	80	<i>detail</i>	104	112	119	140	<i>detail</i>	119	86.5 %
New Construction	8	6	<i>not</i>	8	14	20	11	<i>not</i>	13	9.7 %
Demolitions	3	0	<i>available</i>	9	6	3	3	<i>available</i>	5	3.8 %
<b>Total # of HAWPs</b>	<b>60</b>	<b>86</b>	<b>131</b>	<b>121</b>	<b>132</b>	<b>142</b>	<b>154</b>	<b>160</b>	<b>137</b>	<b>100.0 %</b>

Sources: HPC meeting minutes and HPC Annual Reports to the Maryland Historical Trust

If HPC does not approve a HAWP, the property owner can appeal the decision to the County's Board of Appeals. The number of appeals each year between FY 1991 and FY 1999 ranged from zero to four. On average, property owners appealed nearly two percent of HPC decisions made on HAWP applications from FY 1991 through FY 1999. Table 8 shows the number of HPC decisions appealed during the 1990s, as well as appeal decisions.

**Table 8**  
**Appeals of HPC Decisions FYs 1991-1999**

	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99 Est.	Total	
Total # of HAWPs	82	60	86	131	121	132	142	154	160	1,068	
Total # of Appeals	4	3	0	3	2	4	2	1	1	20	
Appeals as % of HAWPs	4.9%	5.0%	0.0%	2.3%	1.7%	3.0%	1.4%	0.6%	0.6%	1.9%	
<b>Appeal Decisions</b>										<b>Total</b>	<b>% of Total</b>
Denied	2	1	0	2	1	1	0	0	0	7	35%
Granted	0	0	0	0	1	1	2	0	0	4	20%
Dismissed	2	2	0	1	0	1	0	1	0	7	35%
Indefinite Continuance	0	0	0	0	0	1	0	0	0	1	5%
Pending as of 5/25/99	0	0	0	0	0	0	0	0	1	1	5%
<b>Total # of Appeals</b>	<b>4</b>	<b>3</b>	<b>0</b>	<b>3</b>	<b>2</b>	<b>4</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>20</b>	<b>100%</b>

Sources: OLO, HPC support staff, and Board of Appeals records.

HPC has a volunteer to enter records on current and past HAWPs into an electronic database. When OLO copied the database, it contained data about HPC decisions made on 850 HAWP applications. HPC support staff believed the database to be complete for all HAWPs applied for beginning in FY 94 and for Kensington and Capitol View Park Historic Districts back to 1985.

OLO used the HPC database as the sample for determining how many days on average elapsed between the HAWP application date and the HPC decision date. HPC staff consider the database to be substantially up-to-date beginning with FY 94. The records in the HPC database showed that HPC made their decisions well within the statutory limits.

The law (Montgomery County Code 24A-8) states:

The [Historic Preservation] Commission must make a public decision... [on the HAWP] not later than 45 days after the applicant files the application or 15 days after the Commission closes the record on the application, whichever is earlier...If the commission does not act on an application within the time period...the application is approved, unless the applicant agrees to extend the deadline for Commission action.

Table 9 shows the results of OLO's queries of the HPC database for FYs 94-99 and highlights by year the average number of days from HAWP application to HPC decision.

**Table 9**  
**Average Number of Days from HAWP Application to Action FYs 1994-1999**

	<b>FY 94</b>	<b>FY 95</b>	<b>FY 96</b>	<b>FY 97</b>	<b>FY 98</b>	<b>FY 99 Est.</b>
Total HAWP Applications	131	121	132	142	154	160
Sample Size	69	91	103	114	114	84
Sample as Percent of Total	52.7%	75.2%	78.0%	80.3%	74.0%	52.5%
<i><b>Average Days to HPC Action</b></i>	<i><b>34.7</b></i>	<i><b>39.9</b></i>	<i><b>31.0</b></i>	<i><b>29.1</b></i>	<i><b>30.2</b></i>	<i><b>32.9</b></i>

Source: Compiled by OLO from queries run against HPC database.

### **C. Historic Preservation Grant Activity**

As stated previously, HPC is responsible for reviewing and administering grants for a variety of historic preservation projects. Past projects included creation of publications, video productions, oral or written history projects, landscaping plans, historic district design guidelines, and educational programs. Appendix E summarizes the Historic Preservation Grant Fund Procedures.

In the 1990s, individual grants have ranged from as little as \$82 to as much as \$5,000. For FY 1999, HPC awarded a total of \$30,000 to 16 different grantees. Appendix F shows additional details on Montgomery County Preservation Fund grantees for FY 1999.

Table 10 shows that, since FY 92, HPC allocated a total of \$179,302 in grants to 112 recipients, at an average grant size of \$1,601. On average, there have been 14 grantees per year. However, HPC reviews between two and four applications per year above the number of grants actually awarded.

**Table 10**  
**Summary of Historic Preservation Grant Fund Activity FYs 1992-1999**

	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99	TOTAL
Total Funds for Grants	26,130	25,400	20,150	19,950	19,950	20,000	20,000	30,000	181,580
Total Dollars Awarded	26,125	20,900	22,034	19,890	20,353	20,000	20,000	30,000	179,302
Number Of Grants Awarded	15	13	13	14	15	13	13	16	112
Average Grant Dollars	1,742	1,608	1,695	1,421	1,357	1,538	1,538	1,875	1,601
Highest Grant Dollars Awarded	400	235	143	135	82	340	675	300	82
Lowest Grant Dollars Awarded	5,000	3,500	4,808	3,300	4,500	3,000	2,700	4,000	5,000

Sources: OLO and HPC support staff.

#### **D. Historic Preservation Tax Credit Activity**

Owners of properties on the Master Plan for Historic Preservation may apply to the County for a real property tax credit of 10 percent of the costs of HPC-approved "restoration and preservation." Appendix G summarizes the County's tax credit process.

Table 11 displays the number of historic property tax credits issued and the total, average, low and high dollar amounts of the credits since calendar year 1996. Over this period, an average of 76 credits were approved each year, with an average value of \$866. Dollar values of individual tax credits ranged from \$100 to \$15,120.

Tax credit data would be very time-consuming to gather for years before 1996. The County's Department of Revenue has been automating records of historic tax credits since 1996, but any additional data would be extremely costly to gather.

**Table 11**  
**Historic Property Tax Credits Approved for Calendar Years 1996-1998**

	CY 96	CY 97	CY 98	Total
Number of Credits Issued	63	92	72	227
Total Dollar Value	65,041	75,689	55,928	196,658
Average Dollar Value	1,032	823	777	866
Lowest Dollar Value	145	100	110	----
Highest Dollar Value	12,788	15,120	5,041	----

Source: Compiled by OLO from information acquired from the Department of Finance.

## V. OLO OBSERVATIONS

- a) Two of the four workloads examined in this report did not change substantially in the 1990s and should not have future workload implications. Only two additional resources were added to the Locational Atlas for HPC evaluation, and the number of annual Historic Preservation Grant applications requiring HPC review remained relatively steady at 14-16 per year.
- b) The number of annual Historic Property Tax Credit applications submitted for HPC recommendations fluctuated annually by 20-30 applications during the three years examined (FY 96-98). OLO could not discern whether this workload may increase, since there is no clear relationship between the number of Historic Area Work Permits approved and the number of tax credits issued. A longer observation period may or may not reveal a relationship, because the tax credit is available in the year the property owner pays for the work, not the year the permit is issued.
- c) HPC's workload for evaluating HAWP applications increased threefold during the 1990s and will continue to increase as historic districts and individual sites are added to the Master Plan for Historic Preservation. In response, HPC and their support staff streamlined their procedures over the years to accommodate the additional workload. Also, during FY 2000, HPC will implement a 1998 change in County law that allows HPC support staff to approve certain HAWP applications when HPC staff researchers and the property owners agree. Staff will automatically refer any questions to the full HPC for their consideration.
- d) Workload trends in the 1990s indicate that HPC may need additional temporary personnel to assist with HAWP applications for some period after the County Council designates a large historic district on the Master Plan for Historic Preservation. For example, when Takoma Park was designated to the Master Plan in FY 1992, the number of HAWP applications increased nearly fifty percent for each of the subsequent two years (FY 1993 and FY 1994).
- e) The average number of days between the dates that property owners submitted their HAWP applications and the dates HPC took action were well within the statutorily prescribed 45 day limit during the four years sampled by OLO (FYs 1994-99).
- f) An important workload statistic that HPC should capture and report is the number of properties staff research each year for removal from the Locational Atlas. The full extent of this effort is not evident in the number of properties that are included in an historic district when added to the Master Plan for Historic Preservation. For example, HPC staff researched approximately 700 Chevy Chase Village properties (over three years) that were on the Atlas as one resource, but only 327 properties were included in the historic district when it was designated on the Master Plan.



- g) Historic sites and districts are not currently included in the County's Graphical Information System (GIS). However, HPC support staff will begin working with other M-NCPPC staff and the County's Department of Information and Systems Technology staff during FY 2000 to add this information to the GIS database.
- h) During this study, OLO staff interviewed several Commissioners and HPC support staff, and attended an HPC meeting unannounced. This writer observed that the Commissioners and staff have a good working relationship. The support staff appear extremely knowledgeable in their subject areas and professional in their presentations before the Commission. While the Commissioners seem to rely heavily on the staff research and recommendations, they appear to listen attentively to testimony and ask relevant questions before making their decisions.

## **VI. AGENCY COMMENTS**

On August 2, 1999, OLO distributed a draft of this report and requested comments from the Historic Preservation Commission and the Chairman of the Montgomery County Planning Board. Any technical comments or corrections offered by the agencies have been incorporated into this final report. Written comments about the subject and content of the report are presented in their entirety beginning on the next page.



## Montgomery County Government

August 20, 1999

Joan Pedersen, Program Evaluator  
Office of Legislative Oversight  
100 Maryland Avenue  
Rockville, MD 20850

Dear Ms. Pedersen,

During our regular Historic Preservation Commission (HPC) meeting on August 18<sup>th</sup>, the Commissioners discussed OLO's draft memorandum report on HPC workloads in the 1990s, which you had so kindly forwarded to the Commission on August 2<sup>nd</sup>. We found it to be a very useful and thorough report which clearly depicts the increased workloads which the HPC has experienced over the last several years.

We have several comments and thoughts to share with you on the issue of HPC workloads:

1. The Commission strongly agrees with your office's assessment that more staff is needed - particularly when a new historic district is designated, but also when a major project requires a great deal of staff time (such as the review of the demolition of the Silver Spring Armory which occurred last year or the anticipated review of changes that may be proposed at the National Park Seminary after it is excessed by the Department of the Army.) We are very grateful for the .5 workyear of additional staff support approved by the County Council for Fiscal Year 2000; however, your office's suggestion of temporary staff funding during "crunch" periods is an excellent one and we hope that the Council will note it.
2. One workload issue not captured in your report is the amount of time spent on Preliminary Consultations. On complex or controversial Historic Area Work Permit cases, the Commission and staff encourage applicants to come in for an informal discussion prior to filing a formal application. These Preliminary Consultations are invaluable in working out more difficult design review issues; however, they do eat up both staff time for preparation and time during HPC meetings. These efforts are a significant part of our workload - in Fiscal Year 1999, the HPC conducted 26 Preliminary Consultations.

**Historic Preservation Commission**

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8787 Georgia Avenue, Silver Spring, MD 20910  
(301) 563-3400

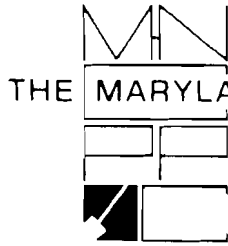
3. We would note that the part of the Commission's mandate which has gotten short-changed as our time has been taken up with regulatory matters is education and outreach. The HPC is committed to working on more and better ways of informing the public about the County's preservation program. This will not only increase general understanding and support, but will also make our regulatory efforts smoother - citizens are always more cooperative when they are fully informed.
4. Finally, the HPC would like to note that we have been working without a full complement of Commissioners for some time now. This has been due to Commissioners resigning, moving out of the County, and/or having terms expire. We now have eight appointed Commissioners and hope to have a ninth appointed by the end of this calendar year. With the turnover that the Commission has experienced recently, we will be making some special efforts to provide training and education to all the members of the Commission.

Thank you for the opportunity to provide these comments. We appreciated the time and effort which your office put into producing this report and feel that it will be very useful to the County Council and to the HPC.

Sincerely,

*Steven L. Spurlock*

Steven L. Spurlock, AIA  
Vice-Chair, HPC



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

(301) 495-4605

Montgomery County Planning Board  
Office of the Chairman

August 25, 1999

Joan Pedersen  
Program Evaluator  
Office of Legislative Oversight  
100 Maryland Avenue  
Rockville, MD 20850

Dear Ms. Pedersen:

Thank you for sending me a copy of the OLO's draft memorandum report on Historic Preservation Commission workloads during the 1990s. It is a very interesting report and appears to accurately reflect the increasing regulatory workload that has resulted from the historic designation of additional individual sites and historic districts. The County's strong economy over the last several years is, in all likelihood, also a factor in the additional work being undertaken in historic areas.

I am aware that the Historic Preservation Commission has implemented a number of procedures to streamline their increased regulatory workload. In addition, a recent amendment to Chapter 24A has simplified the process for owners of properties in Locational Atlas historic districts who wish to undertake substantial alterations to their properties.

These efficiencies, along with the .5 workyear added to the Commission's staffing complement in Fiscal Year 2000, should go a long way towards handling the increased workloads.

Again, thank you for the opportunity to review OLO's report. It is a useful overview of a very important County effort.

Sincerely,

William H. Hussmann  
Chairman

WHH:jlz

**HPC Projects Funded by State Certified Local Government Grants  
FYs 1992-2000  
(Including County Matching Funds)**

- FY 1992    1) Develop four long range plans for four historic districts  
            2) Publish *The Preservationist* Newsletter
- FY 1993    1) Silver Spring historical studies  
            2) Publish *The Preservationist* Newsletter  
*(Supported by County matching funds only – No State grant requested this year)*
- FY 1994    1) Research 52 properties in Potomac and Eastern Montgomery County  
            2) Publish *The Preservationist* newsletter
- FY 1995    1) Preliminary research on Chevy Chase Historic District  
            2) Publish *The Preservationist* newsletter  
*(Supported by County matching funds only – No State grant awarded this year)*
- FY 1996    1) Research Chevy Chase Village (Phase 1 of a multi-phase study)  
            2) Publish *The Preservationist* newsletter
- FY 1997    1) Research other parts of Chevy Chase (Phase 2 of a multi-phase study)  
            2) Publish *The Preservationist* newsletter
- FY 1998    1) Research additional Chevy Chase properties  
            2) Develop a manuscript for a history book on Chevy Chase  
            3) Conduct a workshop on 20<sup>th</sup> century suburbs in the region  
            4) Publish *The Preservationist* newsletter
- FY 1999    1) Print history book on Chevy Chase  
            2) Research 40 properties in the Olney Area  
            3) Publish *The Preservationist* newsletter
- FY 2000    1) Develop an application for Recognized Heritage Area status for areas in  
                    Montgomery County  
            2) Publish *The Preservationist* newsletter

Sources: HPC records and interviews with staff.

**Process for Amending the Master Plan for Historic Preservation**

- 1) HPC staff research historic resources on the Locational Atlas, present their findings to the Commission, and make recommendations on certain resources which should be designated as historic sites or historic districts on the Master Plan for Historic Preservation.
- 2) The Commission considers public testimony, evaluates the staff material and suggestions, and recommends to the Montgomery County Planning Board those resources HPC believes should be designated as historic sites or districts on the Master Plan for Historic Preservation.
- 3) M—NCPPC staff prepare a Preliminary Draft Master Plan Amendment that outlines the historic resources HPC is recommending for designation on the Master Plan for Historic Preservation. It also identifies resources recommended for removal from the Atlas. The Planning Board holds a public hearing on the proposed Amendment, for which notice must be given within 30 to 60 days before the date of the hearing.
- 4) Following closure of the record, the Planning Board holds a worksession on the proposed Amendment. Upon completion of the worksession process, the Planning Board approves a Final Draft Amendment and submits it to the County Council (a courtesy copy is also sent to the County Executive).
- 5) Within 60 days after receiving the Final Draft Amendment, the County Executive submits comments to the Council on the Final Draft Amendment, indicating any suggested changes and a statement of the reasons for each change.
- 6) After receiving the Final Draft Amendment, the Council has 180 days within which to approve, modify, or disapprove the amendment. Within 45 days, the Council sets a public hearing, for which public notice must be given 30 to 60 days before the date of the hearing. Following closure of the public record, the Council is required to hold a worksession on the Final Draft Amendment.
- 7) Within 60 days following Council approval of the Final Draft Amendment, the Montgomery County Planning Board and then the full M-NCPPC formally adopt it as an amendment to the Master Plan for Historic Preservation. Once formally adopted, the amendment is considered an amendment to the General Plan for the Maryland—Washington Regional District.

Sources: HPC records and interviews with staff.

## Sample HAWP Application



RETURN TO: DEPARTMENT OF PERMITTING SERVICES  
250 HUNGERFORD DRIVE, 2nd FLOOR, ROCKVILLE, MD 20850  
301-217-6370

DPS - #8

HISTORIC PRESERVATION COMMISSION  
301/563-3400

# APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Person: \_\_\_\_\_

Daytime Phone No.: \_\_\_\_\_

Tax Account No.: \_\_\_\_\_

Name of Property Owner: \_\_\_\_\_ Daytime Phone No.: \_\_\_\_\_

Address: \_\_\_\_\_  
Street Number City State Zip Code

Contractor: \_\_\_\_\_ Phone No. \_\_\_\_\_

Contractor Registration No. \_\_\_\_\_

Agent for Owner: \_\_\_\_\_ Daytime Phone No. \_\_\_\_\_

**LOCATION OF BUILDING/PREMISE**

House Number: \_\_\_\_\_ Street \_\_\_\_\_

Town/City: \_\_\_\_\_ Nearest Cross Street \_\_\_\_\_

Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_

Liber: \_\_\_\_\_ Folio: \_\_\_\_\_ Parcel: \_\_\_\_\_

**PART ONE: TYPE OF PERMIT ACTION AND USE****1A. CHECK ALL APPLICABLE**

Construct Extend Alter/Renovate  
Move Install Wreck/Raze  
Revision Repair Revocable

**CHECK ALL APPLICABLE:**

A.C. Slab Room Addition Porch Deck Shed  
Solar Fireplace Woodburning Stove  
Fence/Wall (complete Section 4) Other: \_\_\_\_\_

1B. Construction not to exceed \_\_\_\_\_

PLEASE PRINT (IN BLUE OR BLACK INK) OR TYPE THIS INFORMATION ON THE FOLLOWING PAGE.  
PLEASE STAY WITHIN THE GUIDES OF THE TEMPLATE, AS THIS WILL BE PHOTOCOPIED DIRECTLY ONTO MAILING LABELS.

For ALL projects, provide an accurate list of adjacent and confronting property owners (not tenants), including names, addresses, and zip codes. This list should include the owners of all lots or parcels which adjoin the parcel in question, as well as the owner(s) of lot(s) or parcel(s) which lie directly across the street/highway from the parcel in question. You can obtain this information from the Department of Assessments and Location, 51 Monroe Street, Rockville, (301) 279-1359.

**7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS**

must file an accurate tree survey identifying the size, location, and species of each tree of at least that dimension.

**Sample HAWP Application (continued)**

**THE FOLLOWING ITEMS MUST BE COMPLETED AND THE  
REQUIRED DOCUMENTS MUST ACCOMPANY THIS APPLICATION.**

**1. WRITTEN DESCRIPTION OF PROJECT**

- a. Description of existing structure(s) and environmental setting, including their historical features and significance:

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- b. General description of project and its effect on the historic resource(s), the environmental setting, and, where applicable, the historic district:

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**2. SITE PLAN**

Site and environmental setting, drawn to scale. You may use your plat. Your site plan must include:

- a. the scale, north arrow, and date.
- b. dimensions of all existing and proposed structures; and
- c. site features such as walkways, driveways, fences, ponds, streams, trash dumpsters, mechanical equipment, and landscaping.

**3. PLANS AND ELEVATIONS**

You must submit 2 copies of plans and elevations in a format no larger than 11" x 17". Plans on 8 1/2" x 11" paper are preferred.

- a. ***Schematic construction plans***, with marked dimensions, indicating location, size and general type of walls, window and door openings, and other fixed features of both the existing resource(s) and the proposed work.
- b. Elevations (*facades*), with marked dimensions, clearly indicating proposed work in relation to existing construction and, when appropriate, context. All materials and fixtures proposed for the exterior must be noted on the elevations drawings. An existing and a proposed elevation drawing of each facade affected by the proposed work is required.

**4. MATERIALS SPECIFICATIONS**

General description of materials and manufactured items proposed for incorporation in the work of the project. This information may be included on your design drawings.

**5. PHOTOGRAPHS**

- a. Clearly labeled photographic prints of each facade of existing resource, including details of the affected portions. All labels should be placed on the front of photographs.
- b. Clearly label photographic prints of the resource as viewed from the public right-of-way and of the adjoining properties. All labels should be placed on the front of photographs.

**6. TREE SURVEY**

For each tree within the boundary of any tree 6" or larger in diameter (at approximately 4 feet above the ground), you



## **Historic Area Work Permit Application Process**

Code Section 24A—6 requires a property owner to obtain an Historic Area Work Permit (HAWP) for certain types of work to be performed on public or private property containing an historic site designated on the Master Plan for Historic Preservation. The Historic Preservation Commission must approve the HAWP before it can be issued. In practice, the HAWP application procedure is as follows:

- 1) A property owner applies for a building permit from the County's Department of Permitting Services (DPS). If the property is designated as an historic site on the Master Plan for Historic Preservation (either as an individual site or as part of an historic district), DPS staff provide the applicant with a HAWP application.
- 2) The property owner completes the HAWP application and submits it to DPS. Within three days, DPS forwards the completed application to M-NCPPC staff assigned to support HPC.
- 3) Upon receipt of a HAWP application, HPC support staff schedule a public appearance before the Commission. The public appearance is scheduled within 45 days from the day the application was filed with DPS. Notice of the scheduled public appearance is published in a local newspaper, and sent by mail to the applicant, owners of adjacent properties, and the appropriate Local Advisory Panel if the site is located in an historic district.
- 4) HPC holds a public appearance on the HAWP application. The applicant and any other interested parties are offered the opportunity to testify before HPC. If there is opposition to the application, an opportunity for cross-examination is made available.
- 5) Following the close of the record, HPC has 15 days within which to make its decision public. This deadline may be extended with the consent of the applicant. (In practice, HPC most often votes on the application in public session directly following the public appearance.) HPC options are to instruct DPS to issue the permit as submitted, issue the permit subject to certain conditions, or deny the permit. If HPC votes to deny the permit, HPC must provide the applicant with written notice of the reasons for the denial.
- 6) HPC's transmits their decision to DPS staff, who then officially issue or deny the HAWP in accordance with HPC's decision.
- 7) An applicant may appeal an HPC decision to the Board of Appeals within 30 days from the date the Commission's decision is made public. The appellate body for the Board of Appeals' decision is the Circuit Court.

Sources: HPC records and interviews with staff.

## Appendix E

### **Historic Preservation Grant Fund Procedures**

- 1) The availability of grants from the Historic Preservation Grant Fund (HPF) is advertised each year in local newspapers. In addition, information is mailed to previous grantees, County preservation groups, and others who inquire about the program.
- 1) M-NCPPC staff assigned to support HPC provide application forms to potential grantees. The application deadline for grant consideration is generally early to mid-September of the year in which a grant is requested.
- 2) HPC support staff examine the applications for completeness and schedule applications for review by HPC.
- 3) A Grants Subcommittee, usually composed of three HPC members, evaluates all grant applications and forwards funding recommendations to the full HPC.
- 4) The full HPC evaluates the grant applications along with the Grants Subcommittee's recommendations and formally votes on the allocation of funds in public session.
- 5) HPC support staff administer HPC's allocation decisions using standard M-NCPPC contracting and procurement procedures.
- 6) All grant recipients are required to report bi-annually on the progress of their grant projects, and must notify HPC support staff of any changes to the project's proposed timetable, scope, or personnel.

Sources: HPC records and interviews with staff.

**Montgomery County Historic Preservation Fund Grant Awards in FY 1999**

1.	PEERLESS ROCKVILLE Poster—Destination: Rockville	\$ 1,500
2.	MONTGOMERY COUNTY HISTORICAL SOCIETY Publication on architecture of Beall-Dawson House	\$ 1,150
3.	MONTGOMERY PRESERVATION, INC 13 <sup>TH</sup> Annual Preservation-Week Awards Ceremony/Reception/Montgomery Prize	\$ 2,500
4.	MONTGOMERY PRESERVATION, INC Architectural Drawings of Silver Spring Train Station	\$ 3,500
5.	HISTORIC TAKOMA PARK Printing of <i>Takoma Park: Portrait of a Victorian Suburb, 1883-1983</i>	\$ 3,000
6.	TOWN OF BROOKEVILLE Slide presentation on Brookeville and Brookeville Academy	\$ 1,900
7.	TOWN OF KENSINGTON Tombstone repair and grave site identification at Higgins Cemetery	\$ 2,100
8.	TOWN OF KENSINGTON Historic district street signs	\$ 375
9.	WARREN U.M. CHURCH Brochure on Warren U.M. Church historic site	\$ 1,400
10.	SAVE OUR SEMINARY Design, layout, and printing of publication on National Park Seminary	\$ 4,000
11.	GAITHERSBURG HISTORICAL SOCIETY Museum brochure	\$ 300
12.	SUGARLOAF REGIONAL TRAILS Printing of <i>Circling Historic Landscapes</i>	\$ 1,500
13.	SANDY SPRING MUSEUM Publication on History of Sandy Spring	\$ 1,500
14.	SANDY SPRING GREENSPACE, INC. Maps/walking tour of Sandy Spring	\$ 2,500
15.	JOHN CARROLL CHAPEL Preparation of archival materials for John Carroll Chapel	\$ 1,375
16.	ST. PAUL'S CHURCH Preparation of archival materials/oral histories for St. Paul's Church	\$ 1,400
<b>TOTAL</b>		<b>\$30,000</b>

Sources: OLO and HPC support staff.

**Historic Preservation Tax Credit Process**

- 1) The property owner obtains an application form from M-NCPPC staff assigned to support HPC. The application includes requirements for photographs of the completed work and copies of original receipts.
- 2) The property owner submits the completed application form to HPC support staff, who review the material to ensure that all necessary documentation is included. The law states that a properly documented application for a tax credit must be submitted by the first day of April immediately preceding the taxable year for which a tax credit is sought to be applied.
- 3) HPC evaluates each application to determine whether the work meets the eligibility requirements established by law. Specifically, HPC must certify that the property is designated on the Master Plan and is either work for which an Historic Area Work Permit was approved, or for ordinary maintenance work that costs at least \$1,000 and is determined to have “historic, architectural, or cultural value.” HPC then forwards the application, all accompanying material, and its recommendation on eligibility to the Department of Finance.
- 4) The Finance Director of the County’s Department of Finance makes the final decision on the tax credit application. Department of Finance staff may request additional documentation from the applicant, which the applicant must provide within 30 days from the date of the request. The Finance Director may reject all or part of claimed expenditures for lack of proper documentation.
- 5) An approved tax credit is equal to ten percent of eligible expenses recommended by HPC and approved or modified by the Department of Finance. The Department of Finance issues checks for approved tax credit amounts to eligible property owners after the owners have paid their real property tax bills in full.
- 6) Applicants who wish to appeal the Finance Director’s decision may file an appeal with the Property Tax Assessment Appeal Board. The property owner must file the appeal within 30 days after the date of the notice of decision by the Department of Finance.

Sources: Chapter 24A, Executive Regulation 35—86, and interviews with HPC staff.

**Districts Designated on the Master Plan for Historic Preservation**

<b>Historic District</b>	<b>Fiscal Year of Master Plan Designation</b>	<b>Number of Properties at Time of Designation</b>
1. National Park Seminary	1979	23
2. Capitol View Park	1982	251
3. Boyds	1985	40
4. Polychrome Houses	1985	5
5. Brookeville	1986	48
6. Hyattstown	1986	34
7. Kensington	1986	204
8. Sandy Spring	1988	10
9. Beallsville	1989	10
10. Germantown	1989	10
11. Clarksburg	1990	25
12. Glen Echo	1990	16
13. Somerset	1990	54
14. Cedar Grove	1991	6
15. Hawkins Lane	1992	19
16. Takoma Park	1992	906
17. Garrett Park	1993	46
18. Forest Glen	1993	13
19. Linden	1993	19
20. Chevy Chase Village	1995/1998	327

Source: Council minutes and HPC staff.

## Master Plan/Atlas Changes FYs 1991-1999

FY 91	FY92	FY93	FY94	FY95
7/31/90 <u>Roseneath</u> 1 Atlas Resource added to M.P.	7/2/91 <u>Hawkins Lane</u> 1 H.D. & 2 Resources added to M.P. 1 Resource removed (None on original Atlas)	11/9/92 <u>North Bethesda/ Garrett Park</u> 1 Atlas H.D. added to M.P. 9 Resources added to M.P. (Six had been part of the Atlas H.D.) 4 Atlas Resources removed	10/19/93 <u>Potomac</u> 31 Atlas Resources added to M.P. 18 Atlas Resources removed 1 Resource added to Atlas	7/14/94 <u>Bethesda CBD</u> 4 Resources added to M.P. 5 Resources removed (All part of one original Atlas H.D.)
10/16/90 <u>Cedar Grove</u> 1 Atlas H.D. added to M.P.	7/25/91 <u>Montgomery Arms</u> 1 Resource added to M.P. (Part of Historic District still on Atlas.)	1/12/93 <u>Rolling Ridge, et al</u> 3 Atlas Resources added to M.P. 1 Resource retained on the Atlas.	10/93 <u>Resource #23/39</u> 1 Atlas Resource removed	9/14/94 <u>Resource #11/26</u> 1 Atlas Resource removed
	11/12/91 <u>Locational Atlas Update Amendment</u> 90 Atlas Resources removed 2 Atlas Resources added to M.P.	3/4/93 <u>Resource #10/6</u> 1 Atlas Resource removed	2/1/94 <u>Silver Theatre and Shopping Center and Taste Diner</u> 2 Resources added to M.P. (Both were part of a Historic District still on Atlas.)	3/28/95 <u>Chevy Chase Village H.D. - Phase One</u> 1 H.D. added to M.P. (Part of larger area identified on Atlas)
	11/19/91 <u>Unity/Derwood/ Sunshine</u> 3 Atlas H.D. removed 1 Resource added to M.P. (Resource had been part of one of the districts removed)	5/19/93 <u>Linden/Forest Glen</u> 2 Atlas H.D. added to M.P. 1 Resource added to M.P. (Resource had been part of one of the Atlas H.D.)	2/17/94 <u>Resource #15/50</u> 1 Atlas Resource removed	
	6/9/92 <u>Takoma Park H.D.</u> 1 Atlas H.D. added to M.P.		3/1/94 <u>Sellman H.D.</u> 1 Atlas H.D. removed 2 Resources added to M.P. (Resources had been part of the Atlas H.D.) 1 Resource added to Atlas	
			3/29/94 <u>Aspen Hill</u> 5 Atlas Resources added to M.P. 1 Resource not on original Atlas added to M.P. 3 Atlas Resources removed	
			5/23/94 <u>Clarksburg</u> 4 Atlas Resources added to M.P. 14 Atlas Resources removed	
<b>TOTAL:</b> 1 H.D. added 1 Resource added	<b>TOTAL:</b> 2 H.D. added 6 Resources added 91 Resources removed 3 H.D. removed from Atlas	<b>TOTAL:</b> 3 H.D. added 13 Resources added 5 Resource removed 1 Resource retained on Atlas	<b>TOTAL:</b> 45 Resources added 37 Resources removed 1 H.D. removed from Atlas 2 Resources put on Atlas	<b>TOTAL:</b> 1 H.D. added 4 Resources added 6 Resources removed

In the totals row:

Added = Added to Master Plan for Historic Preservation

Removed = Removed from the Locational Atlas

**Master Plan/Atlas Changes FYs 1991-1999 (continued)**

<b>FY96</b>	<b>FY97</b>	<b>FY98</b>	<b>FY99</b>
	10/8/96 <u>Travilah/Darnestown</u> 10 Atlas Resources added to M.P. 17 Atlas Resources removed	7/8/97 <u>Cloverly</u> 5 Atlas Resources added to M.P. 13 Atlas Resources removed 1 Atlas Resource retained on Atlas for future action	7/98 <u>Silver Spring Train Station</u> 1 Resource Added to M.P. <i>(Not on original Atlas)</i>
	11/12/96 <u>Four Corners</u> 1 Resource added to M.P. <i>(Not on original Atlas)</i> 2 Atlas Resources removed	3/10/98 <u>Chevy Chase Village Historic District - Expansion</u> 1 M.P. H.D. substantially expanded	
	1/21/97 <u>White Oak</u> 5 Resources added to M.P. <i>(None were on original Atlas)</i> 1 Atlas Resource removed 1 Atlas Resource retained on Atlas for future action		
	3/25/97 <u>Fairland</u> 2 Resources added to M.P. <i>(None were on original Atlas)</i> 5 Atlas Resources removed		
<b>TOTAL:</b> No activity	<b>TOTAL:</b> 18 Resources added 25 Resources removed 1 Resource retained on Atlas	<b>TOTAL:</b> 1 Existing H.D. expanded 5 Resources added 13 Resource removed 1 Resource retained on Atlas	<b>TOTAL:</b> 1 Resource added

In the totals row:

Added = Added to Master Plan for Historic Preservation

Removed = Removed from the Locational Atlas

Source: HPC support staff.

**HPC Five Year Plan For Evaluating Atlas Resources**

<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>
(Finish) Silver Spring	(Finish) Goshen Woodfield Cedar Grove	(Finish) Bennett and Little Bennett Watershed	(Finish) Little Monocacy Basin Dickerson Barnsville	(Finish) Poolesville
(Finish) Town of Chevy Chase	(Finish) Patuxent Watershed Conservation Area	(Finish) Damascus	(Finish) Martinsburg	(Finish) Lower Seneca Basin Parts 1-3
(Finish) Olney	(Begin) Bennett and Little Bennett Watershed	(Begin) Little Monocacy Basin Dickerson- Barnsville	(Begin) Poolesville	(Begin) Miscellaneous Sites
(Begin) Goshen Woodfield Cedar Grove	(Begin) Damascus	(Begin) Martinsburg	(Begin) Lower Seneca Basin Parts 1-3	(Finish) Miscellaneous Sites
(Begin) Patuxent Watershed Conservation Area				

Source: HPC support staff.